

SSB 5659 - S AMD 337
By Senator Mulliken

WITHDRAWN 04/10/2003

1 On page 6, after line 26, insert the following:

2 "Sec. 6. RCW 36.70A.130 and 2002 c 320 s 1 are each amended to
3 read as follows:

4 (1)(a) Each comprehensive land use plan and development regulations
5 shall be subject to continuing review and evaluation by the county or
6 city that adopted them. A county or city shall take legislative action
7 to review and, if needed, revise its comprehensive land use plan and
8 development regulations to ensure the plan and regulations comply with
9 the requirements of this chapter according to the time periods
10 specified in subsection (4) of this section. A county or city not
11 planning under RCW 36.70A.040 shall take action to review and, if
12 needed, revise its policies and development regulations regarding
13 critical areas and natural resource lands adopted according to this
14 chapter to ensure these policies and regulations comply with the
15 requirements of this chapter according to the time periods specified in
16 subsection (4) of this section. Legislative action means the adoption
17 of a resolution or ordinance following notice and a public hearing
18 indicating at a minimum, a finding that a review and evaluation has
19 occurred and identifying the revisions made, or that a revision was not
20 needed and the reasons therefore. The review and evaluation required
21 by this subsection may be combined with the review required by
22 subsection (3) of this section. The review and evaluation required by
23 this subsection shall include, but is not limited to, consideration of
24 critical area ordinances and, if planning under RCW 36.70A.040, an
25 analysis of the population allocated to a city or county from the most
26 recent ten-year population forecast by the office of financial
27 management.

28 (b) Any amendment of or revision to a comprehensive land use plan
29 shall conform to this chapter. Any amendment of or revision to
30 development regulations shall be consistent with and implement the
31 comprehensive plan.

1 (c) A county that has a population density of fewer than fifty-five
2 persons per square mile, as determined by the office of financial
3 management, upon a declaration as specified in subsection (4)(d) of
4 this section is not subject to the requirements of this section to
5 review and revise its comprehensive plans and development regulations
6 and, upon a declaration as specified in subsection (4)(d) of this
7 section is not subject to the requirements of this section to review
8 and revise its critical area and natural resource land ordinances. Any
9 city located within a county where the county has a population density
10 of fewer than fifty-five persons per square mile, upon a declaration as
11 specified in subsection (4)(d) of this section is not subject to the
12 requirements of this section in the same manner as provided for
13 counties under this subsection (1)(c). However, any county or city
14 making such a declaration under this subsection that has a county
15 population density that grows to be equal to or more than fifty-five
16 persons per square mile must comply with all of the requirements of
17 this section and the time period specified in subsection (1)(c)(i) and
18 (ii).

19 (i) Two years from the date a county obtains a population density
20 of fifty-five or more persons per square mile, a county and the cities
21 therein must review and revise its comprehensive plans and development
22 regulations.

23 (ii) A county and the cities therein must review and revise their
24 policies and development regulations regarding critical areas and
25 natural resource lands adopted under this chapter within two years of
26 the county obtaining a population density of fifty-five or more persons
27 per square mile or fifteen years from the date of the most recent
28 adoption of a county's or city's critical area ordinance and natural
29 resource lands ordinance, whichever is earlier.

30 (d) The date a county obtains a population density of fifty-five or
31 more persons per square mile, for the purposes of (c) of this
32 subsection, is the date that county population projections are
33 published by the office of financial management annually.

34 (2)(a) Each county and city shall establish and broadly disseminate
35 to the public a public participation program consistent with RCW
36 36.70A.035 and 36.70A.140 that identifies procedures and schedules
37 whereby updates, proposed amendments, or revisions of the comprehensive

1 plan are considered by the governing body of the county or city no more
2 frequently than once every year. "Updates" means to review and revise,
3 if needed, according to subsection (1) of this section, and the time
4 periods specified in subsection (4) of this section. Amendments may be
5 considered more frequently than once per year under the following
6 circumstances:

7 (i) The initial adoption of a subarea plan that does not modify the
8 comprehensive plan policies and designations applicable to the subarea;

9 (ii) The adoption or amendment of a shoreline master program under
10 the procedures set forth in chapter 90.58 RCW; and

11 (iii) The amendment of the capital facilities element of a
12 comprehensive plan that occurs concurrently with the adoption or
13 amendment of a county or city budget.

14 (b) Except as otherwise provided in (a) of this subsection, all
15 proposals shall be considered by the governing body concurrently so the
16 cumulative effect of the various proposals can be ascertained.
17 However, after appropriate public participation a county or city may
18 adopt amendments or revisions to its comprehensive plan that conform
19 with this chapter whenever an emergency exists or to resolve an appeal
20 of a comprehensive plan filed with a growth management hearings board
21 or with the court.

22 (3) Each county that designates urban growth areas under RCW
23 36.70A.110 shall review, at least every ten years, its designated urban
24 growth area or areas, and the densities permitted within both the
25 incorporated and unincorporated portions of each urban growth area. In
26 conjunction with this review by the county, each city located within an
27 urban growth area shall review the densities permitted within its
28 boundaries, and the extent to which the urban growth occurring within
29 the county has located within each city and the unincorporated portions
30 of the urban growth areas. The county comprehensive plan designating
31 urban growth areas, and the densities permitted in the urban growth
32 areas by the comprehensive plans of the county and each city located
33 within the urban growth areas, shall be revised to accommodate the
34 urban growth projected to occur in the county for the succeeding
35 twenty-year period. The review required by this subsection may be
36 combined with the review and evaluation required by RCW 36.70A.215.

1 (4) The department shall establish a schedule for counties and
2 cities to take action to review and, if needed, revise their
3 comprehensive plans and development regulations to ensure the plan and
4 regulations comply with the requirements of this chapter. The schedule
5 established by the department shall provide for the reviews and
6 evaluations to be completed as follows:

7 (a) On or before December 1, 2004, and every seven years
8 thereafter, for ~~((Clallam,))~~ Clark, ~~((Jefferson,))~~ King, Kitsap,
9 Pierce, Snohomish, Thurston, and Whatcom counties and the cities within
10 those counties;

11 (b) On or before December 1, 2005, and every seven years
12 thereafter, for Cowlitz, Island, ~~((Lewis, Mason,))~~ San Juan, and
13 Skagit~~((, and Skamania))~~ counties and the cities within those counties;

14 (c) On or before December 1, 2006, and every seven years
15 thereafter, for Benton~~((, Chelan, Douglas, Grant, Kittitas,))~~ and
16 Spokane~~((, and Yakima))~~ counties and the cities within those counties;
17 and

18 (d) For a county and the cities located within that county that
19 make a declaration not to be subject to the requirements of this
20 section, the time requirements of subsection (1)(c)(i) and (ii) of this
21 section apply. All counties and the cities therein that make a
22 declaration not to be subject to the requirements of this section must
23 provide written notice of that decision to the department of community,
24 trade, and economic development by no later than November 1, 2007. All
25 counties and the cities therein that do not provide such notice must
26 meet all the requirements of this section on or before December 1,
27 2007, and every seven years thereafter~~((, for Adams, Asotin, Columbia,~~
28 ~~Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln, Okanogan,~~
29 ~~Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman~~
30 ~~counties and the cities within those counties))~~.

31 (5)(a) Nothing in this section precludes a county or city from
32 conducting the review and evaluation required by this section before
33 the time limits established in subsection (4) of this section.
34 Counties and cities may begin this process early and may be eligible
35 for grants from the department, subject to available funding, if they
36 elect to do so.

1 (b) State agencies are encouraged to provide technical assistance
2 to the counties and cities in the review of critical area ordinances,
3 comprehensive plans, and development regulations.

4 (6) A county or city subject to the time periods in subsection
5 (4)(a) of this section that, pursuant to an ordinance adopted by the
6 county or city establishing a schedule for periodic review of its
7 comprehensive plan and development regulations, has conducted a review
8 and evaluation of its comprehensive plan and development regulations
9 and, on or after January 1, 2001, has taken action in response to that
10 review and evaluation shall be deemed to have conducted the first
11 review required by subsection (4)(a) of this section. Subsequent
12 review and evaluation by the county or city of its comprehensive plan
13 and development regulations shall be conducted in accordance with the
14 time periods established under subsection (4)(a) of this section.

15 (7) The requirements imposed on counties and cities under this
16 section shall be considered "requirements of this chapter" under the
17 terms of RCW 36.70A.040(1). Only those counties and cities in
18 compliance with the schedules in this section shall have the requisite
19 authority to receive grants, loans, pledges, or financial guarantees
20 from those accounts established in RCW 43.155.050 and 70.146.030. Only
21 those counties and cities in compliance with the schedules in this
22 section shall receive preference for grants or loans subject to the
23 provisions of RCW 43.17.250."

SSB 5659 - S AMD 337
By Senator Mulliken

WITHDRAWN 04/10/2003

24 On page 1, line 2 of the title, after "84.52.043" insert "and
25 36.70A.130"

--- END ---